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5                   UNITED STATES DISTRICT COURT  
6                   WESTERN DISTRICT OF WASHINGTON  
7                   AT SEATTLE

8                   UNITED STATES OF AMERICA,

9                         Plaintiff,

10                  v.

11                  CLYDE McKNIGHT,

12                         Defendant.

CR18-16 TSZ

ORDER

13                  THIS MATTER comes before the Court on defendant's motion, docket no. 510, to  
14 substitute counsel or proceed pro se, as amended by the notice of conditional appearance  
15 filed by attorney Michael Austin Stewart on October 12, 2020, docket no. 613. Having  
16 considered the motion, the supplemental briefs filed by current counsel Gilbert Levy and  
17 prospective counsel for defendant, docket nos. 615 and 616, the memorandum filed by  
18 the Government, docket no. 617, and the oral arguments and representations made during  
the hearing held on October 23, 2020, the Court ORDERS as follows:

19                  (1)      Defendant's motion, docket no. 510, is GRANTED as follows. Gilbert  
20 Levy and Emily Beschen are GRANTED leave to withdraw as counsel of record for  
21 defendant, effective immediately. Michael Austin Stewart is substituted as counsel of  
22 record for defendant. The Clerk shall update the docket accordingly.

1           (2) Trial is SET for Tuesday, February 16, 2021, to commence at 9:00 a.m.

2           (3) The period of time until February 16, 2021, is excluded under the Speedy

3 Trial Act on grounds that the failure to continue the trial date would likely make the

4 proceeding impossible, result in a miscarriage of justice, and/or deny defense counsel the

5 reasonable time necessary for effective preparation, taking into account the exercise of

6 due diligence; see 18 U.S.C. §§ 3161(h)(7)(A), (B)(i), & (B)(iv).

7           (4) No motions to reopen the Franks hearing and/or to reconsider the Court's

8 prior rulings in this matter may be made by defendant. Absent currently unforeseeable

9 circumstances, the Court will not permit any further continuance of the trial date. Any

10 dissatisfaction that defendant might have in the future with his new attorney, any

11 workload or similar impediments to Mr. Stewart's ability to meet the deadlines in this

12 case, and any disputes concerning Mr. Stewart's compensation shall not constitute

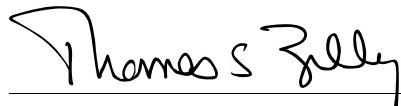
13 grounds for continuing trial. Any new motions shall be filed by January 4, 2021, and

14 noted for January 15, 2021.

15           IT IS SO ORDERED.

16           The Clerk is directed to send a copy of this Order to all counsel of record.

17           Dated this 23rd day of October, 2020.

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20           Thomas S. Zilly  
United States District Judge